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THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

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August 27, 2010

ENTERED
Office of Proceedings

SEP 1 - 2010

Part of
Public Record

Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, SW
Washington, DC 20423-0012

Re: STB Finance Docket No. 35393, Providence and Worcester Railroad Company -
Petition for Declaratory Order

Dear Ms. Brown:

Please accept this letter as notice that the Massachusetts Department of Public Utilities (DPU) intends to participate in this proceeding. The DPU has a substantial interest in this proceeding as the Petitioner seeks a declaration from the Board that the DPU is preempted from administering and enforcing a Massachusetts statute, M.G.L., c. 164, §73. Please add the undersigned counsel (both names) to the service list in this proceeding.

Respectfully submitted,

James A. Buckley, Esq.

Stephen August, Esq.

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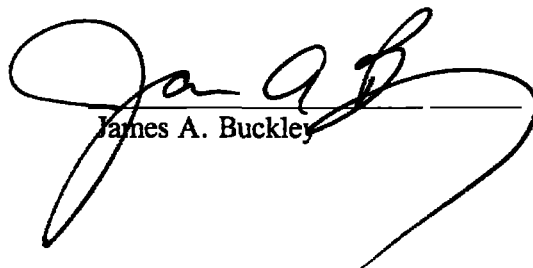
CERTIFICATE OF SERVICE

I hereby certify that the foregoing Notice of Intent to Participate was served on August 27, 2010 on the following persons, by email and regular mail:

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